

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON DECEMBER 8, 2004, WITH THE FOLLOWING MEMBERS PRESENT: MARY C. WALKER, PRESIDENT, ROBERT L. PROUD, VICE PRESIDENT AND R. SCOTT CROSWELL III, MEMBER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 11:00 A.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO THE FLAG.

IN RE: CLERMONT TRANSPORTATION CONNECTION... RESOLUTION NUMBER 212-04/RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE OHIO PUBLIC TRANSPORTATION FORMULA GRANT PROGRAM AND THE OHIO ELDERLY AND DISABLED TRANSIT FARE ASSISTANCE PROGRAM FOR STATE FISCAL YEAR 2005 AND EXECUTION OF THE STANDARD STATE ASSURANCES FOR SAME...04-1130-004...ADOPTED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Melissa O'Farrell, Director, Clermont Transportation Connection, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Number **212-04** resolving to authorize the Director of Clermont Transportation Connection to file an Application on behalf of the Clermont County Board of Commissioners, with the Ohio Department of Transportation for the Ohio Public Transportation Formula Grant Program in the amount of \$263,574.00 and the Ohio Elderly and Disabled Transit Fare Assistance Program in the amount of \$47,126.00, and further, to execute the Standard State Assurances relative thereto, pursuant to the criteria for the Fiscal Year 2005 Grant Application.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

IN RE: COUNTY AUDITOR...RESOLUTION NUMBER 213-04/RESOLUTION REVISING THE FIXED ASSET POLICY OF CLERMONT COUNTY, OHIO...00-1221-002...ADOPTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Linda Fraley, County Auditor, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Number **213-04** resolving to revise the Fixed Asset Policy of Clermont County, previously adopted by the Board on 12/19/00, to track and report all assets greater than \$5,000.00 in the Fixed Asset System.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

IN RE: CLERMONT COUNTY SEWER DISTRICT...AWARD OF BID FOR PROJECT NUMBER 621-0981 RELATIVE TO THE CONSTRUCTION OF THE LOCUST CORNER BOOSTER STATION REPLACEMENT PROJECT LOCATED WITHIN PIERCE TOWNSHIP AND EXECUTION OF CONTRACT RELATIVE THERETO...04-0913-008...RATIFIED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Moustafa Moteleb, P.E., Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to award the bid for Project Number 621-0981 relative to the construction of the Locust Corner Booster Station Replacement Project, located within Pierce Township, pursuant to the plans and specifications therefore, to Crace Construction Company, P.O. Box 535, 316 Main Street, Piketon, Ohio 45661, for their lowest and best bid therefore received on 10/28/04, at the item prices as outlined therein, for a total amount not to exceed \$2,406,700.00, and to execute the Contract relative thereto, pursuant to the terms and conditions set forth therein and the award of bid therefore.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

IN RE: CLERMONT COUNTY SEWER DISTRICT...CHANGE ORDER NUMBER 1 TO THE CONTRACT WITH HOWELL CONTRACTORS, INC. FOR PROJECT NUMBER 621-0791 RELATIVE TO THE CINCINNATI WATERWORKS STATE ROUTE 125 CROSS CONNECTION PROJECT LOCATED WITHIN UNION TOWNSHIP...03-1024-004...EXECUTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Moustafa Moteleb, P.E., Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to execute Change Order Number 1 to the Contract with Howell Contractors, Inc., 980 Helen Ruth Drive, Ft. Wright, Kentucky 41017, previously ratified by the Board on 01/27/04, for Project Number 621-0791 relative to the Cincinnati WaterWorks State Route 125 Cross Connection Project, located within Union Township, which represents an increase in the amount of \$49,976.33, for a total adjusted contract price to date of \$247,826.33, and an extension of time of 65 calendar days for a revised contract completion of 11/01/04, for additions, deletions and/or modifications thereto as defined therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

IN RE: CLERMONT COUNTY SEWER DISTRICT...CONTRACT FOR PROFESSIONAL SERVICES WITH MCGILL SMITH PUNSHON, INC. FOR THE PROVISION OF ENGINEERING, ARCHITECTURAL AND/OR CONSULTING SERVICES FOR PROJECT NUMBER 651-0853 RELATIVE TO THE DESIGN OF THE HERITAGE GLEN SANITARY SEWER IMPROVEMENTS PROJECT LOCATED WITHIN UNION TOWNSHIP...04-1129-003...EXECUTED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Lyle G. Bloom, P.E., Sanitary Engineer, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Sewer District, to execute a Contract for Professional Services by and between the County of Clermont, Ohio, and McGill Smith Punshon, Inc., 3700 Park 42 Drive, Suite 190B, Cincinnati, Ohio 45241-2097, for the provision of engineering, architectural and/or consulting services for Project Number 651-0853 relative to the design of the Heritage Glen Sanitary Sewer Improvements Project, located within Union Township, for a total amount not to

exceed \$23,400.00, with said services to be completed within 270 consecutive calendar days upon issuance of written Notice to Proceed from the Office of the Sanitary Engineer, pursuant to the terms and conditions set forth therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

IN RE: CLERMONT COUNTY SEWER DISTRICT...GRANTS OF WATER EASEMENTS WITH RIGHTS OF RE-ENTRY FOR REPAIR AND REPLACEMENT HERETOFORE GRANTED AND CONVEYED TO THE COUNTY OF CLERMONT, OHIO, FOR PROJECT NUMBER 621-0880 RELATIVE TO THE MT. CARMEL-TOBASCO ROAD 12” WATERLINE REPLACEMENT PROJECT LOCATED WITHIN UNION TOWNSHIP...04-1130-002...ACCEPTED

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Carole S. Schulze, Negotiator, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Sewer District, to accept the following Grants of Water Easements with Rights of Re-Entry for Repair and Replacement heretofore granted and conveyed to the County of Clermont, Ohio, for utility purposes of constructing, operating, maintaining, repairing, replacing and removing or reinstalling water utility lines, pumping equipment and all incidental appurtenances required for the transportation of water in, on, under, and across the properties of the Grantors for Project Number 621-0880 relative to the Mt. Carmel-Tobasco Road 12” Waterline Replacement Project located within Union Township, and to authorize execution of replats for same, and further to authorize the County Auditor to remit payment in the amounts outlined below and as indicated on the settlement sheets, attached thereto, as compensation for the Permanent Easements and Right-of-Ways granted thereby and repairs relative thereto, as outlined below:

Project	Grantor	Parcel Number	Compensation
Mt. Carmel-Tobasco Road 12” Waterline Replacement Project Project Number 621-0880 Union Township	Robert L. and Joan L. Merice 4398 Mt. Carmel-Tobasco Road Cincinnati, Ohio 45244	41-32-13E-358	Perm \$900.00
Mt. Carmel-Tobasco Road 12” Waterline Replacement Project Project Number 621-0880 Union Township	James and Geraldine R. Hall 578 Sonny Lane Cincinnati, Ohio 45244	41-32-13E-045	Perm \$2,624.00
Mt. Carmel-Tobasco Road 12” Waterline Replacement Project Project Number 621-0880 Union Township	William J. Needels 210 Duchess Cincinnati, Ohio 45244	41-32-13E-044	Perm \$4,441.00
Mt. Carmel-Tobasco Road 12” Waterline Replacement Project Project Number 621-0880 Union Township	Kathyleen L. Still 4414 Mt. Carmel-Tobasco Road Cincinnati, Ohio 45244	41-32-13E-043	Perm \$918.00
Mt. Carmel-Tobasco Road 12” Waterline Replacement Project Project Number 621-0880 Union Township	Charles and Barbara Collins 3881 Richardson Road Independence, Kentucky 41051	41-32-13E-042	Perm \$1,714.00
Mt. Carmel-Tobasco Road 12” Waterline Replacement Project Project Number 621-0880 Union Township Replat Number 629-2258	David S. and Bonnie Finns 4292 Mt. Carmel-Tobasco Road Cincinnati, Ohio 45244	41-42-44B-082	Perm \$752.00 Repairs \$1,896.00
Mt. Carmel-Tobasco Road 12” Waterline Replacement Project Project Number 621-0880	Amy M. Starrett; NKA: Amy M. Long 4265 Beechmont Drive	41-42-44B-078A	Perm \$673.00 Repairs \$1,327.00

Union Township Replat Number 629-2258	Cincinnati, Ohio 45244		
Mt. Carmel-Tobasco Road 12" Waterline Replacement Project Project Number 621-0880 Union Township Replat Number 629-2258	Donna S. Williams; NKA: Donna S. Davis 4298 Mt. Carmel-Tobasco Road Cincinnati, Ohio 45244	41-42-44B-078B & 41-42-44B-079A	Perm Repairs Donated Donated
Mt. Carmel-Tobasco Road 12" Waterline Replacement Project Project Number 621-0880 Union Township Replat Number 629-2258	Karen L. Burkart 4300 Mt. Carmel-Tobasco Road Cincinnati, Ohio 45244	41-42-44B-079B & 41-42-44B-080A	Perm Repairs Donated Donated
Mt. Carmel-Tobasco Road 12" Waterline Replacement Project Project Number 621-0880 Union Township Replat Number 629-2258	Fredrick T. Parker, Jr. and Mary H. Parker, Trustees of the Parker Family Trust, Dated October 17, 2000, Fredrick T. Parker, Jr., P.O.A. for Mary H. Parker, Trustee 2783 Keystone Drive Cincinnati, Ohio 45230	41-42-44B-081 & 41-42-44B-080B	Perm Repairs \$475.00 \$100.00

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mrs. Walker, Yes.

IN RE: COUNTY ENGINEER...RECORD PLAT NUMBER 629-2259 FOR THE DEDICATION OF LEXINGTON RUN DRIVE AND BUGLER’S SOUND CIRCLE LOCATED IN BATAVIA TOWNSHIP...04-1208-001...EXECUTED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Record Plat Number **629-2259** for the Dedication of Lexington Run Drive (0.394 miles) and Bugler’s Sound Circle (0.305 miles) located within Batavia Township.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

IN RE: COUNTY ENGINEER...RECORD PLAT NUMBERS 629-2260 THROUGH 629-2264 FOR LEXINGTON RUN SUBDIVISION, LOCATED IN BATAVIA TOWNSHIP AND COMBINED PERFORMANCE-MAINTENANCE BOND, AS WELL AS, PERFORMANCE BOND FOR SIDEWALKS AS SURETY FOR SAME...EXECUTED

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Record Plat Numbers **629-2260** through **629-2264** for the following Subdivision and further to execute the Combined Performance-Maintenance Bond, as well as, Performance Bond for Sidewalks as surety for same relative to the construction of the below listed streets:

Subdivision/Location	Perf./Maint.	Sidewalk	Street/Lenth (miles)
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Lexington Run Bugler’s Sound, Phase 1 Batavia Township Record Plat Number 629-2260 Lexington Run Saddletop Ridge, Phase 1 Batavia Township Record Plat Number 629-2261 Lexington Run Champion’s Crossing, Phase 1 Batavia Township Record Plat Number 629-2262 Lexington Run Twin Spires, Phase 1 Batavia Township Record Plat Number 629-2263 DC#04-1208-002 *Secured by Irrevocable Standby Letters of Credit Number SLCLSTL01489 and SLCLSTL01488 and Amendment No. 1 to Letter of Credit Number SLCLSTL01488, issued by U.S. Bank National Association, International Dept., SL-MO-L2IL, 8 th and Locust Streets, St. Louis, Missouri 63101.	\$90,000.00/ \$47,000.00*	\$158,970.00*	Bugler’s Sound Circle (0.103) Keeneland Run (0.165) Saddletop Ridge (0.105) Stablehand Drive (0.085) Sprinter’s Crossing (0.072) Steeplechase Drive (0.103) Buglers Sound Circle (0.117) Champions Crossing (0.143) Horseshoe Bend (0.309) Bluegrass Boulevard (0.029) Citation Court (0.171) Twin Spires Drive (0.049)
Lexington Run Twin Spires, Phase 2 Batavia Township Record Plat Number 629-2264 DC# 04-1208-003			Twin Spires Drive Winners Circle Trophy Lane* *Private Streets not for public maintenance.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

LET THE RECORD SHOW: Sukie Scheetz, Controller, Office of Management and Budget, provided an overview of the draft summary of the Clermont County 2005 Annual Appropriations.

The County will carry over \$21.0M unencumbered cash balance from Fiscal Year 2004. The General Fund 2005 Operating Revenues are targeted at an estimated \$50.5M, with the total available resources to be appropriated at \$71.5M. General Fund 2005 Operating Expenses are estimated at \$51.5M. This represents an increase of 2.7% over the 2004 November Annual Appropriations. The projected unencumbered balance for the end of Fiscal Year 2005 is \$20.0M.

Ms. Scheetz addressed vacant positions and new position requests to be funded or unfunded by the General Fund in the 2005 Annual Appropriations for various County Departments. She also identified open issues and changes for Fiscal Year 2005 from the current Appropriations for Fiscal Year 2004 for the General Fund.

Ms. Scheetz provided a summary of the 2005 Annual Appropriations for all County Funds. The

total Annual Appropriations for the Board of County Commissioners budgeted funds for Fiscal Year 2005 is \$233.394M. (DC# 04-1208-004)

LET THE RECORD SHOW: A MOTION BY MR. PROUD, SECONDED BY MR. CROSWELL, TO GO INTO EXECUTIVE SESSION AT 12:17 P.M. PURSUANT TO SECTION 121.22(G)(3) OF THE OHIO REVISED CODE REGARDING PENDING LEGAL MATTERS, CARRIED WITH ALL MEMBERS VOTING AFFIRMATIVELY THEREON.

LET THE RECORD SHOW: THE EXECUTIVE SESSION CONCLUDED AND REGULAR SESSION RESUMED AT 3:30 P.M. WITH NO ACTION TAKEN.

LET THE RECORD SHOW: That a motion by Mr. Croswell, seconded by Mr. Proud, to approve the minutes of Regular Session of **12/08/04** carried with all members present voting.

IN RE: ADJOURNMENT...

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

That the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session until the next regularly scheduled session to be held at a later date.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mrs. Walker, Yes.

**BOARD OF COUNTY COMMISSIONERS
CLERMONT COUNTY, OHIO**

MARY C. WALKER, PRESIDENT

ROBERT L. PROUD, VICE PRESIDENT

R. SCOTT CROSWELL III, MEMBER

JUDITH KOCICA, CLERK OF THE BOARD

12/08/04
DATE APPROVED